



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Steve Anthony, Treasurer
Georgia Federal Elections Committee
1100 Spring Street, Suite 710
Atlanta, GA 30309

MAR - 5 1997

Identification Number: C00041269

Reference: 30 Day Post-General Report (10/17/96-11/25/96)

Dear Mr. Anthony:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-On Schedule H4 supporting Line 21(a) of the Detailed Summary Page, you have failed to check the appropriate CATEGORY box for the payment(s) made for what appears to be various exempt activity. Please amend your report to disclose the appropriate category.

-Schedule A of your report discloses a contribution(s) from an organization which is not a political committee registered with the Commission (pertinent portion(s) attached). In addition, the contribution appears to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) precludes a political committee from receiving contributions from a person or another committee in excess of \$5,000 in a calendar year. Also, in order to make contributions to your committee, organizations which are not political committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution. 11 CFR §102.5(b)

If your committee does not finance non-federal activity, the receipt of the referenced contribution(s) may violate the limitations and prohibitions of 2 U.S.C. §§441a(f) and 441b. If your committee engages in both federal and non-federal activity, either through a separate non-federal account, or one

account that finances activity in connection with both federal and non-federal elections, your committee may be in violation of 11 CFR §102.5(a).

In order to be in compliance with the Act, your committee must: 1) refund to the donor, or transfer-out to a non-federal account, the amount in excess of \$5,000 and 2) determine the extent to which your committee received funds that are not permissible, and refund or transfer-out the prohibited funds.

If you choose to transfer the funds to an account not used to influence federal elections, the Commission advises that you inform the contributor in writing and provide the contributor with the option of receiving a refund. You may wish to seek a written authorization (either before or after the transfer-out) from the donor for any transfer-out to protect the donor's interests.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. Should you choose to transfer-out or refund the funds, the Commission will presume the funds were impermissible, absent a statement from your committee to the contrary. Transfers-out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which they are made.

Although the Commission may take further legal action concerning the acceptance of prohibited and excessive contribution(s), your prompt refund or transfer-out will be taken into consideration.

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(d) preclude a committee from receiving contributions from another political committee or person in excess of \$5,000 per calendar year.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution(s) you received exceeded the limits, you must seek reattribution of the contribution pursuant to 11 CFR §110.1(k), transfer-out the amount in excess of \$5,000 to an account not used to influence federal elections or refund the excessive amount to the donor(s) in accordance with 11 CFR §103.3(b). In the best interest of your committee, all reattributions, transfers-out, and refunds should be made within sixty days of the

treasurer's receipt of the contribution(s). In order to protect the donor's interests, the Commission recommends that you inform the contributor(s) in writing to provide the donor(s) with the option of granting written authorization for a reattribution or transfer-out to another account or receiving a refund.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



J.P. Andee, Jr.
Reports Analyst

Reports Analysis Division

Schedule A I T E M I Z E D R E C E I P T S

Page 1 of 2 for
LINE 348512 12

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee:

Georgia Federal Elections Committee

A. Full Name, Mailing Address, and Zip Code	Date	Amount of Each Receipt This Period
ASDC-DOLLARS FOR DEMOCRATS 430 SOUTH CAPITOL STREET, S.E. WASHINGTON, DC 20003	10/17/96	300.00
Receipt for:		
Aggregate Year-To-Date \$		6,249.93

B. Full Name, Mailing Address, and Zip Code	Date	Amount of Each Receipt This Period
DEMOCRATIC CONGRESSIONAL CAMPAIGN COMMITTEE 430 SOUTH CAPITOL ST., SE WASHINGTON, DC 20003	10/21/96	12,737.25
Receipt for:		
Aggregate Year-To-Date \$		59,227.70

C. Full Name, Mailing Address, and Zip Code	Date	Amount of Each Receipt This Period
DEMOCRATIC NATIONAL COMMITTEE 430 S. CAPITOL STREET, S.E. WASHINGTON, DC 20003	10/24/96	7,700.00
	10/28/96	9,339.00
Receipt for:		
Aggregate Year-To-Date \$		462,859.00

D. Full Name, Mailing Address, and Zip Code	Date	Amount of Each Receipt This Period
FRIENDS OF MAX CLELAND FOR THE U.S. SENATE INC. P.O. BOX 7843 ATLANTA, GA 30357	10/25/96	30,000.00
	10/29/96	30,000.00
Receipt for:		
Aggregate Year-To-Date \$		60,000.00

E. Full Name, Mailing Address, and Zip Code	Date	Amount of Each Receipt This Period
NORTH CAROLINA UNITY '96 FEDERAL P.O. BOX 121916 RALEIGH, NC 27605	10/31/96	20,000.00
Receipt for:		
Aggregate Year-To-Date \$		20,000.00

SUBTOTAL of Receipts This Page \$ 110,076.25

